



JB Pritzker, Governor
Constance Beard, Chair
Chimaobi Enyia, Executive Director

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June 3, 2019

Dear Industry Member,

As you may be aware, the Illinois Liquor Control Commission is in the process of developing Administrative Rules regarding the holders of liquor licenses obtaining the naming rights to another liquor license holder's property.

The ILCC has identified several areas of concern on this issue. These areas of concern are included on the attached page. We acknowledge that there may be other areas of concern as well.

In our efforts to solicit input from all Illinois stakeholders, identify best practices from similarly situated regulatory bodies in other states, and to foster a positive working relationship with the ILCC, we are seeking your input on this issue. Accordingly, the ILCC invites you to submit written comments and concerns on this issue.

Only comments emailed to ilcc@illinois.gov will be considered at this time. Those comments should be on letterhead and sent as an attachment to the email address listed above. Please submit all comments by July 19, 2019.

Thank you in advance for your time and response on these matters. If you have any questions or comments, please let me know.

Best Regards,

Chima Enyia

Chimaobi Enyia
Executive Director
Illinois Liquor Control Commission

The following are areas of concern identified by the ILCC which you may want to consider when drafting your comments:

Type of Building (Should naming rights be tied to the type of building at issue?)

- **Public use sports venue** (arena, stadium, automobile race track, horse racing track)
- **Public entertainment venue** (amphitheater, auditorium, theater)
- **Public use building** (mall, civic center, convention center or other public venue)
- **Retailer/manufacturer/distributor locations** (bars, restaurants, taverns, warehouses)

Capacity Basis (Should naming rights be tied to venue capacity?)

- **Number of seats**
- **Number of patrons**

Tied house Issues: (What Tied-House related issues would it present and methods of ensuring effective separation between the tiers?)

- **Non-exclusion clause** (must not inhibit the ability to purchase or offer for sale any brand of alcoholic beverages selected by the Licensee)
- **Independent concessionaire** (receives no monetary benefit directly or indirectly, by any scheme or device, or in any form or degree from the alcoholic beverage industry, including a benefit in the form of capital improvements, furniture, fixtures, or equipment)
- **Special rates** (manufacturer may not offer discounts of alcoholic beverages based upon the use of name either by contract or otherwise)

Restrictions:

- **Whether the event is ticketed or not** (includes paid or unpaid tickets)
- **Limited time frame** (seasonal vs open throughout the entire year)

Who it should apply to:

- **Building owned by retailer** (the property is owned by the retailer and the naming rights to the property will be held by a manufacturer and/or distributor)
- **Building houses a retailer** (the property is owned by a third party but is leased by a retailer and the naming rights to the property will be held by a manufacturer and/or distributor)
- **Building owned by a manufacturer** (the property is owned by the manufacturer and the naming rights to the property will be held by a retailer/distributor)
- **Building houses a manufacturer** (the property is owned by a third party but is leased by a manufacturer and the naming rights to the property will be held by a retailer/distributor)
- **Building owned by a distributor** (the property is owned by the distributor and the naming rights to the property will be held by a retailer/manufacturer)
- **Building houses a distributor** (the property is owned by a third party but is leased by a retailer and the naming rights to the property will be held by a retailer/manufacturer)

Other factors to consider:

- **Signage** (ability of the Licensee to advertise other alcoholic liquor products within the same category shall not be prohibited)
- **Dollar value** (whether the dollar value of the sponsorship should be considered)
- **Product placement** (the placement of product within the premises by the manufacturer)